

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
JERRY ALFRED WHITWORTH,  
Defendant.

Case No. [85-cr-00552-RS-1](#)

**ORDER TO SHOW CAUSE**

Jerry Alfred Whitworth moves to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. As noted in the Court's order dismissing his prior petition without prejudice, *see* Dkt. No. 669, the petition may be untimely. Whitworth appears to argue that he is excused for filing beyond the one-year time limit prescribed by Section 2255(f) because he seeks habeas relief on the grounds of ineffective assistance of counsel, and other grounds that cannot be procedurally defaulted. The United States is hereby ordered to respond to Whitworth's petition no later than June 4, 2018.

**IT IS SO ORDERED.**

Dated: April 3, 2018

  
RICHARD SEEBORG  
United States District Judge